

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Study Session

April 7, 2003  
6:00 p.m.

Council Conference Room  
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Degginger, and Councilmembers Creighton, Davidson, Lee, Mosher, and Noble

ABSENT: None.

1. Executive Session

Deputy Mayor Degginger opened the meeting at 6:00 p.m. and announced recess to Executive Session for approximately 40 minutes to discuss two items of property acquisition and one item of pending litigation. The Study Session resumed at 6:45 p.m. with Mayor Marshall presiding.

2. Study Session

(a) Update on BROTS Reconciliation

City Manager Steve Sarkozy recalled the interlocal agreement signed by the Bellevue and Redmond City Councils in September 1999 regarding ongoing project financing, cost sharing, and transportation management in the Bel-Red Overlake Transportation Study (BROTS) area. The agreement requires an annual review of progress on identified BROTS projects.

Kris Liljeblad, Transportation Assistant Director, said the 1999 BROTS Interlocal Agreement represents a cooperative effort to manage both land use and transportation systems. He noted the Annual Reconciliation Report provided in the Council packet beginning on page SS 2-3.

Eric Miller, Capital Programming Manager, said 45 BROTS projects are covered in the status report. Bellevue is responsible for 20 projects, Redmond is responsible for 19 projects, and 6 are joint projects. For Bellevue, 4 of the 20 projects have been completed, 10 of the 26 Bellevue/joint projects are completed or fully funded, and 3 projects are partially funded. Based on 1998 values, Bellevue has completed or funded half of its \$36.4 million responsibility specified in the agreement.

Mr. Miller said Redmond has completed 4 of 19 projects, an additional 4 projects are fully funded, and 3 projects are partially funded. Based on 1998 values, Redmond has completed or funded 44 percent of its \$32.6 million responsibility specified in the agreement.

Mr. Miller explained that the second section of the reconciliation report covers the level of service (LOS) at intersections in the BROTS area. The 2002 LOS figures for Bellevue's three mobility management areas (MMAs) in the BROTS area are well below the standard, indicating favorable performance levels. Redmond has two transportation management districts (TMDs) in the BROTS area. LOS for the Overlake TMD falls below the standard but LOS for the Grass Lawn TMD continues to exceed the standard.

Susie Serres, Long-Range Planning Manager, described trip reduction strategies in the BROTS area. The Bravo trip reduction pilot program was initiated with three goals: 1) increase awareness of non-SOV transportation alternatives, 2) increase employee use of alternative modes by 10 percent over the baseline study (22 percent), and 3) reduce PM peak period SOV trips by 300 utilizing vanpools, carpools, and transit. Employee use of alternative transportation modes successfully exceeded the goal with an increase of 13 percent. Of 15,000 employees surveyed at 127 companies, 80 percent were aware of the Bravo program, 100 percent were aware of commute alternatives, and 29 percent indicated they are "likely to use" a commute alternative.

Ms. Serres reviewed additional trip reduction strategies including the Commute Trip Reduction program for employers with 100 or more employees, continued Transportation Demand Management (TDM) funding, developer-based Transportation Management Plans (TMPs), community outreach, incentives, the web-based Rideshare Assistant to connect carpoolers, and enhanced activity through Transportation Management Associations.

Ms. Serres described the North-South Corridor Study funded by Redmond and Bellevue to:

- 1) identify alternate solutions to the 152<sup>nd</sup> crossing of SR 520, 2) identify projects to enhance north-south mobility between and including 148<sup>th</sup> and 156<sup>th</sup> Avenues in the Overlake area, and 3) identify projects such as transit to improve the capacity of 148<sup>th</sup> Avenue. The study was conducted between July 2001 and March 2003 and resulted in the following recommendations:

- 1) re-stripe southbound 148<sup>th</sup> Avenue at SR 520, 2) improve the intersection at NE 24<sup>th</sup> and 148<sup>th</sup> Avenue NE by adding westbound left-turn lanes, 3) extend 152<sup>nd</sup> Avenue over SR 520, and 4) add an eastbound ramp from SR 520 to 152<sup>nd</sup> Avenue.

Mr. Liljeblad described a proposed amendment to the BROTS Interlocal Agreement. Many projects intended to add capacity to the system described specific lane configurations or modifications at intersections. Additional design work has resulted in the identification of better solutions for some of these projects. Staff recommends amending the agreement to allow administrative approval of minor modifications to project scopes. A minor modification is defined as one that will not increase the project cost beyond the increases allowed by the agreement and will not reduce the LOS benefit of the project beyond a point acceptable to both parties.

Mr. Liljeblad requested Council direction regarding the proposed amendment. He suggested the creation of a joint Bellevue-Redmond City Council Subcommittee to evaluate and make recommendations to the full Councils on BROTS issues between the annual reconciliation meetings.

Responding to Mr. Mosher, Planning Director Dan Stroh described the Planning Commission's review of three alternative growth strategies last September. This resulted in a recommendation for a modified jobs/housing balance alternative which would not change the land use ceiling in the Overlake area. In January, the Redmond City Council adopted a preliminary preferred growth strategy to maintain the 15.4 million square foot development target. This strategy includes a review of growth in 2008 and allows staff to study the impacts of a higher level of growth.

Responding to Mr. Noble, Mr. Liljeblad acknowledged that Bellevue and Redmond calculate intersection LOS using different methodologies and baseline assumptions. Mr. Stroh said the differing assumptions make it difficult to compare the two cities' methodologies.

Dr. Davidson questioned how project solutions beyond the Interlocal Agreement's term expiration of 2012 will be addressed. Ms. Serres indicated the need to consider the benefits of future transportation improvements, such as transit, that may affect ongoing discussions and planning.

Mayor Marshall thanked staff for the presentation and asked Councilmembers to let her know if they are interested in serving on the recommended joint Bellevue-Redmond subcommittee.

(b) Deployment of Wireless Communication Facilities

Mr. Sarkozy opened the ongoing discussion of balancing the demand for technology with zoning and planning issues associated with the proper placement of wireless communication facilities.

Planning and Community Development Director Matt Terry introduced Lesley Stuart (Chair) and Merle Keeney from the Parks and Community Services Board and Patsy Bonincontri, Planning Commission Chair. Mr. Terry recalled that last summer Council asked the Planning Commission to review wireless communication facilities siting regulations.

Kate Berens, Legal Planner, explained that the City's current regulations center around two hierarchies. The land use district hierarchy identifies residential areas as the least preferred location for wireless facilities, and parks are one level above residential areas. The design hierarchy identifies freestanding monopoles as the least preferred design alternative. Wireless facilities are allowed in all areas of the city. However, proposals exceeding the height allowed within a given land use district require an administrative conditional use (ACU) permit. An ACU can be approved or denied by the PCD Director, and the Director's decision may be appealed to the City's Hearing Examiner. Proposals for a new monopole in a residential or transition area are required to go through the full conditional use permit process. In this case, the PCD Director makes a recommendation to the Hearing Examiner. The Examiner holds a hearing and issues a decision, which can be appealed to City Council.

Ms. Berens said staff began reviewing existing policies and regulations in late 2001 to ensure the appropriate balance between a "wired city" and neighborhood impacts and to determine whether encouraging deployment in the right-of-way could provide consistency and predictability in the permitting process.

Ms. Berens said Council and the Planning Commission were interested in extensive public involvement in the review process. In addition to the required public hearing, consideration of amendments included a neighborhood panel discussion with the Planning Commission, a public open house to explain the amendments, mailings and e-mailings to neighborhood groups and interested parties, and press releases. The Planning Commission held a public hearing in February 2003 focusing on the following issues: 1) right-of-way deployment in residential areas, 2) equipment cabinet size in residential rights-of-way, 3) location of equipment cabinets in residential areas, and 4) whether the policies and regulations should be expanded to cover additional types of communication technology including wired telephone, cable, and DSL. Following the public hearing, the Planning Commission's recommendation is to maintain the focus on wireless communication facilities because their impacts are distinctly different from other types of technologies.

Mr. Berens provided an overview of the proposed amendments. They streamline the permit process for preferred designs, particularly in commercial rights-of-way and transition areas. The goal is to encourage providers to continue to deploy in those areas and decrease the demand for deployment in residential areas. The amendments streamline the process for wireless facilities to be attached to existing buildings in both commercial and residential areas when applicable height limitations for a land use district are met. The amendments also streamline the existing land use district and design hierarchies by reducing the number of categories within each hierarchy. Parks are no longer specifically identified in the hierarchy and will be treated according to the underlying land use district in which they are located.

Proposed amendments for residential areas include: 1) a right-of-way permit process for facilities that do not add height to a structure, 2) maintaining the 30-inch limit on equipment cabinets in residential rights-of-way, and 3) adding a requirement that facilities in the right-of-way be located no closer than 520 feet to each other. Ms. Berens displayed photos of the types of facility designs that would be eligible for the streamlined permit process. One photo showed a small wireless facility attached to a traffic signal as an example of what the Planning Commission would like to encourage in Bellevue. Another photo of a preferred design showed a canister antenna on top of ballfield lights, with a nearby equipment shed, at Bannerwood Park.

Ms. Berens requested Council direction on the Planning Commission's recommendation as well as ordinances to amend the Land Use Code and to declare an emergency to amend the Comprehensive Plan prior to the next annual round of Comprehensive Plan Amendments. She proposed April 21 as a date for Council action on the land use items only, or June if Council prefers to wait until the Parks Board's related leasing policies are finalized to take action on the land use items.

Ms. Bonincontri said the Planning Commission invited a panel of independent experts on wireless technologies and regulations to its October 2, 2002 meeting. The panel was helpful in describing visually pleasing technology options, and the Planning Commission would like to provide incentives for these alternatives. Throughout the review process, neighborhood representatives expressed concern about visual and health impacts potentially associated with wireless facilities. Ms. Bonincontri reviewed the Commission's recommendations regarding streamlining the permit process for commercial and transition areas, equipment screening, and

simplification of the applicable hierarchies. She noted the Parks Board's concern about the proposal to delete parks from the land use district hierarchy.

Ms. Stuart said the Parks and Community Services Board disagrees with the proposal to eliminate parks from the hierarchy and to treat parks according to the land use types within the underlying zone. The Board continues to develop specific guidelines for locating wireless communications facilities in parks for future Council consideration.

Mr. Keeney said the current Planning Commission proposal requires a conditional use permit for a new monopole in residential districts but only an administrative conditional use permit in a park in the same residential district. The Parks Board disagrees with having a less stringent public process for siting a new monopole in a park and believes the public process should be the same for any location within a district. Mr. Keeney said the Parks Board acknowledges there might be park locations that could accommodate wireless facilities with minimal impacts in order to avoid a more detrimental impact to a neighborhood as a whole.

Mr. Keeney said the Parks Board voted on March 25, 2003, to recommend the City Council approve the Land Use Code change as suggested by the Planning Commission with the following amendments:

- The Conditional Use Permit (CUP) process should be required when locating a wireless communications facility in a park rather than the proposed Administrative Conditional Use Permit process.
- Parks should be considered as "less favored" locations compared to the underlying adjacent zoning, except in residential areas.

Deputy Mayor Degginger complimented the Planning Commission and Parks Board for their study and discussion of this issue. He expressed support for the Planning Commission's recommendation but discussed the need to more fully address view preservation in the Comprehensive Plan and to address the issue of dispersion in City policies. Mr. Degginger is concerned that the current proposal does not prevent disproportionate impacts in a given area. He encouraged limitations on the number of facilities/antennas that could be collocated on any site or public building, particularly in a residential area. He supports the Parks Board's recommendation to retain the CUP process for facilities located in parks.

Mr. Mosher concurred with retaining the CUP process for parks. With regard to dispersion, he encouraged a middle ground between collocating large groups of antennas and spreading them out one at a time.

Responding to Mr. Lee, Ms. Bonincontri said the Planning Commission recommends streamlining in the permit process to provide incentives for specific locations and types of facilities and to discourage siting in residential areas. In reference to dispersion, she noted the proposal requires facilities to be separated by at least 520 feet.

Mr. Creighton asked where the City is in terms of the anticipated full buildout of wireless technology facilities. Ms. Berens said providers are hesitant to provide this information.

However, T-Mobile estimates the need for 18 new facilities over the next two years. AT&T Wireless and Cingular estimate four to six new facilities over the next two years. Ms. Berens said there are approximately 50 facilities in the city now. Mr. Terry said it is becoming increasingly difficult to site wireless facilities because the less controversial locations have already been used.

Mr. Creighton thanked staff and Board and Commission members for their hard work. He concurs with Mr. Degginger's concerns about view preservation and dispersion.

Responding to Mayor Marshall, Councilmembers indicated concurrence to allow the Parks Board to continue to develop specific guidelines for locating wireless communications facilities in parks. Mr. Sarkozy noted a target date of June for the Board's recommendation.

At 8:00 p.m., Mayor Marshall announced recess to the Regular Session, after which Council will return to the Study Session.

The Study Session resumed at 9:31 p.m. At Mayor Marshall's request, the Council agreed to address Agenda Item 3(a) before Item 2(c).

3. Discussion

- (a) City of Bellevue application for a rezone from R-3.5C (with conditions) to R-3.5 and deleting a condition of a pre-annexation zoning ordinance that restricted density on property at 5027, 5029, and 5033 159<sup>th</sup> Place SE to make zoning for the area consistent with the Comprehensive Plan. (File No. 03-100077-LQ)

Responding to Deputy Mayor Degginger, Mr. Terry explained that a 1987 concomitant condition on zoning imposed a limitation on the number of lots and lot size because the Sensitive Areas Ordinance was under development but not yet adopted. The condition was missed in a subsequent review and staff recommends allowing the R-3.5 zoning designation to be the controlling policy on the property. Deletion of the condition will not affect density but will make the zoning consistent with the Comprehensive Plan. The property is developed with a private school and a single-family residence.

2. Study Session

- (c) Solid Waste Collection Services

Damon Diessner, Utilities Assistant Director, said the City's solid waste contract expires in March 2004. The purpose of tonight's discussion is to agree on the process for establishing a new contract and to seek Council approval to solicit bids for core services and competitive proposals for potential new services. Core services represent 90 percent of the contract and include the following: garbage, recycling, yard waste, litter program, customer billing, and emergency services. Potential new services include quarterly pick-up of bulky waste, residential commingled recycling, city organics and solid waste disposal, commercial commingled

recycling, sports field garbage and recycling, weekly single family yard waste pick-up, and weekly single family food waste option.

Environmental Services Commission Chair Diane Pottinger said the Commission recommends exploring the economic viability of the seven potential new services. The quarterly pick-up of bulky waste would allow residents to dispose of items such as swing sets and lawn furniture. Residential commingled recycling provides the benefit of fewer worker injuries and the additional cost to customers is estimated at 5 cents per month. Bundled/commingled commercial recycling could result in decreased costs and increased recycled volumes.

Mr. Diessner said a request for proposals (RFP) will be issued in May. The proposals will be reviewed with the Environmental Services Commission and then discussed with Council in June. Council award of a contract is anticipated in September.

In reference to commingled commercial recycling, Mr. Mosher encouraged a consideration of the costs to store recycling containers, which would be different than the current recycling bins. Mr. Diessner said staff and the ESC are seeking innovative ideas from businesses as well on this issue. Responding to Mr. Lee, Ms. Pottinger noted Washington State's 50-percent recycling goal. She said the goal cannot be met without involving the commercial sector in recycling.

Mr. Creighton noted that although office workers often separate recycling and garbage, it may not be disposed of in the intended way by janitorial staff.

Mayor Marshall encouraged consideration of a full range of factors including cost and record of service. She does not want the vendor selection to be based strictly on cost. Mr. Diessner concurred and said the City is not required to select the lowest bidder for this contract.

Dr. Davidson commended the extensive work of the Environmental Services Commission on this project. Mayor Marshall thanked Ms. Pottinger for her leadership.

At 9:50 p.m., Mayor Marshall declared the meeting adjourned.

Myrna L. Basich  
City Clerk

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